



PATENT APPLICATION  
Docket No.: ST9-99-122

### ***DECLARATION, POWER OF ATTORNEY AND PETITION***

We, David W. Moore and Frederick Stephen Perry, declare: that we are citizens of the United States of America; that our residences and post office addresses are 2250 Fountain Oaks Drive, Morgan Hills, California 95037 and 1009 Burlwood Drive, San Jose, California 95120-2106, respectively; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled SYSTEM AND METHOD FOR PARALLEL PRIMARY AND SECONDARY BACKUP READING IN RECOVERY OF MULTIPLE SHARED DATABASE DATA SETS, for which a patent is sought and which is described and claimed in the specification filed in the United States Patent and Trademark Office as Serial No. 09/545,752 on April 10, 2000; that we have reviewed and understand the contents of the above-identified specification, including the claims; and that we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those individuals associated with U.S. Patent and Trademark Office Customer No. 21552 with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to David J. McKenzie at the address associated with Customer No. 21552.

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at San Jose, CA, this 13 day of September, 2002  
(City) (State)

Inventor [Signature]

David W. Moore  
22500 Fountain Oaks Drive  
Morgan Hill, California 95037

Signed at San Jose, CA, this 13<sup>th</sup> day of September, 2002  
(City) (State)

Inventor [Signature]

Frederick Stephen Perry  
1009 Burlwood Drive  
San Jose, California 95120-2106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David W. Moore	)	
		)	
Serial No.:	09/545,752	)	
		)	
Filed:	April 10, 2000	)	Group Art
		)	Unit: 2172
For:	SYSTEM AND METHOD FOR PARALLEL PRIMARY	)	
	AND SECONDARY BACKUP READING	)	
	IN RECOVERY OF MULTIPLE SHARED	)	
	DATA SETS	)	
		)	
Examiner:	Tam V. Nguyen	)	

**STATEMENT OF FREDERICK STEPHEN PERRY PURSUANT TO 37 C.F.R. §1.48(a)(2)**


Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I hereby request that my name be added as a co-inventor to the patent application number 09/545,752. Furthermore, I declare that the error in inventorship occurred without deceptive intention on my part.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

  
Frederick Stephen Perry

#5  
10/14/02

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on September 18, 2002.

Attorney for Applicant

PATENT

Docket No. 3000.2.12

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David W. Moore

Serial No.: 09/545,752

Filed: April 10, 2000

For: SYSTEM AND METHOD FOR PARALLEL PRIMARY  
AND SECONDARY BACKUP READING IN  
RECOVERY OF MULTIPLE SHARED DATA SETS

Examiner: Tam V. Ngyen

Group Art  
Unit: 2172

**Request to Amend Inventorship**

Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

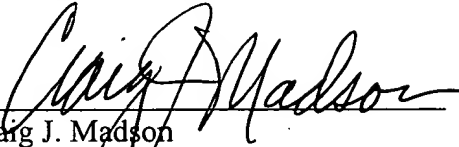
Dear Sir,

This request is being submitted pursuant to 37 C.F.R. § 1.48(a).

1. It is respectfully requested that the above-referenced application be amended to add the following as an inventor: Frederick Stephen Perry, 1009 Burlwood Drive, San Jose, California, 95120-2106. Frederick Stephen Perry is a citizen of the United States of America.
2. The inventorship errors occurred without deceptive intention on the part of the omitted inventor.

3. The processing fee of \$130 as set forth 37 C.F.R § 1.17(i) is enclosed with a Credit Card Payment Form.

Respectfully submitted,

  
\_\_\_\_\_  
Craig J. Madson  
Reg. No. 29,407  
Attorney for Applicant

Date: <sup>18</sup>September 4, 2002

MADSON & METCALF  
Gateway Tower West  
15 West South Temple, Suite 900  
Salt Lake City, Utah 84101  
Telephone: 801/537-1700

2172

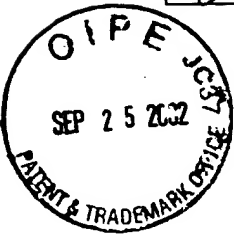
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on September 18, 2002.

Attorney for Applicant

**PATENT**

**Docket No. ST9-99-122**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David W. Moore

**RECEIVED**

Serial No.: 09/545,752

**SEP 30 2002**

Filed: April 10, 2000

**Technology Center 2100**

Group Art  
Unit: 2172

For: SYSTEM AND METHOD FOR PARALLEL PRIMARY  
AND SECONDARY BACKUP READING IN  
RECOVERY OF MULTIPLE SHARED DATABASE  
DATA SETS

Examiner: Tam V. Nguyen

**Consent of Assignee to Change in Inventorship under 37 C.F.R. 1.48(a)**

Assistant Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir,

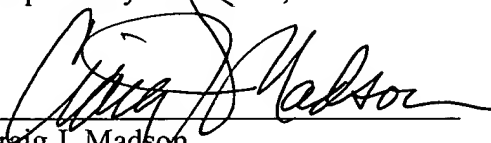
This consent is being submitted pursuant to 35 U.S.C. §116 and 37 C.F.R. § 1.48(a)(5). International Business Machines Corporation ("IBM"), of New York and having principal place of business at New Orchard Road, Armonk, New York 10504, does hereby grant written consent to the change of inventorship in U.S. patent application number 09/545,752 which adds Frederick Stephen Perry as a co-inventor.

As evidence of IBM's ownership of U.S. patent application number 09/545,752 and pursuant to 37 C.F.R. §3.73(b)(1)(i), IBM, through its agents, is submitting with this consent a true copy of an assignment of ownership from the original owner, David W. Moore, to IBM. Pursuant to 37 C.F.R. §3.73(b)(1)(ii), the assignment was recorded on 4/10/2000 at reel/frame 010699/0231. This consent is being submitted by one authorized to act on behalf of the assignee

The PTO did not receive the following listed item(s): Credit Card

pursuant to the power of attorney on record in the above identified U.S. patent application and this statement made pursuant to 37 C.F.R. §3.73(b)(2)(i).

Respectfully submitted,

  
\_\_\_\_\_  
Craig J. Madson  
Reg. No. 29,407  
Attorney for IBM

Date: September 18, 2002

MADSON & METCALF  
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